

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
International application No. PCT/DE03/00051

I. Basis of the report

1. This report has been drawn on the basis of (Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):

The description, pages:

1-16 original version

The claims, Nos.:

1-19 original version

The drawings, sheets/fig.:

1/3-3/3 original version

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)

Yes: Claims 1-19

No: Claims

Inventive Step (IS)

Yes: Claims 1-19

No: Claims

Industrial Applicability (IA)

Yes: Claims 1-19

No: Claims

2. CITATIONS AND EXPLANATIONS
see appended sheet

1. Point V:

The present Application appears to be novel and inventive with respect to the following documents listed in the International Search Report.

D1 = EP-A-0 446 678

D2 = XP000073623

D3 = U.S. 5,604,503

Document D1, which is considered to be the most proximate related art, describes a device for polystatic radar applications, in particular (see D1, Figure 1), having spaced apart radar sensors for transmitting or receiving operation and a time-synchronous control of the pulses for at least two transmitting and receiving sensors which are assigned to one another (see D1: column 2, lines 27-33 and column 5, lines 10-15).

However, the subject matter of Claim 1 differs from D1 in the following points:

- (1) an independent carrier-frequency oscillator is assigned to each radar sensor; and
- (2) pulses are impressed (via a modulator) on the output signal emitted by the particular oscillator.

Moreover, the above-mentioned features cannot be inferred from document D2 (see, inter alia, D2, Figures 1 and 2) or D3 (see D3, Figures 2-6).

Thus, on the basis of the above-mentioned documents, one skilled in the art would not arrive at the subject matter of Claim 1.

Claims 2-19 add additional features to Claim 1 which are novel and inventive.

2. Other remarks regarding entry into the regional phase:

a. Claim 1 does not meet the requirements of Article 6 PCT, because it is unclear how a radar sensor (11, 12) is designed in accordance with the invention in the receiving operation (i.e., without knowledge of Figure 1 and the Specification).

b. It is pointed out that the expression "in particular" used in Claim 1 in no way limits the scope of protection, i.e., the feature that follows such an expression is to be considered as altogether optional (compare the PCT guideline PCT/GL/III-4.6).

c. As a precaution, it is pointed out to the Applicant that the amendments must not go beyond the disclosure of the International Application at the time of filing of the Application (Article 34(2)(b) and 41(2) PCT).

d. To facilitate examination of amended Application documents with respect to Article 34(2) b) PCT, with respect to the amendments made, regardless of whether these are additions, substitutions or deletions, the Applicant is requested to clearly indicate the passages in the originally filed Application that support these amendments (see also Rule 66.8 a) PCT).